

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BRIGHT RESPONSE, LLC,)	
)	
Plaintiff,)	
)	Civil Action No. 2:14-cv-69
v.)	
)	JURY TRIAL DEMANDED
VERINT SYSTEMS INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

For its Complaint, Plaintiff Bright Response, LLC ("Bright Response"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. Bright Response is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 471, Plano, Texas 75093.
2. Defendant Verint Systems Inc. is a Delaware corporation with, upon information and belief, a place of business located at 330 South Service Road, Melville, New York 11747.

JURISDICTION AND VENUE

3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
5. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in

other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

6. Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

THE PATENT-IN-SUIT

7. On August 21, 2001, United States Patent No. 6,278,996 (the "'996 patent"), entitled "System and Method for Message Process and Response" was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '996 patent is attached hereto as Exhibit A.

8. Bright Response is the assignee and owner of the right, title and interest in and to the '996 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,278,996

9. Bright Response repeats and realleges the allegations of paragraphs 1 through 8 as if fully set forth herein.

10. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe the '996 patent by making, using, importing, offering for sale, and/or selling one or more e-mail understanding and response systems, including, but not limited to Impact 360 Text Analytics, that recognize and answer e-mail based on the e-mail writer's intent in unconstrained natural language text e-mails covered by one or more claims of the '996 patent.

11. Bright Response is entitled to recover from Defendant the damages sustained by Bright Response as result of Defendant's infringement of the '996 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Bright Response hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Bright Response requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '996 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Bright Response for Defendant's past infringement of the '996 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Bright Response's reasonable attorneys' fees; and
- D. An award to Bright Response of such further relief at law or in equity as the Court deems just and proper.

Dated: February 10, 2014

/s/ Richard C. Weinblatt
Stamatios Stamoulis DE SB #4606
stamoulis@swdelaw.com
Richard C. Weinblatt DE SB #5080
weinblatt@swdelaw.com
Stamoulis & Weinblatt LLC
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540
Facsimile: (302) 762-1688

*Attorneys for Plaintiff
Bright Response, LLC*